

REMARKS

Claims **1, 4, 6-11, 14-20, 22, 24-31, 34-41** and **43-49** are pending in the application.

Claims **1, 4, 6-11, 14-19, 30, 31** and **34-49** stand rejected.

Claims **1, 4, 10, 11, 14, 16, 18, 19, 20, 24, 26, 28, 30, 31, 34, 36, 38, 40, 41, 44, 48** and **49** have been amended. Support for these amendments can be found throughout the originally-filed application. For example, support can be found in paragraphs [038], [039], and [052] of the Specification.

Claim **43** has been canceled.

Rejection of Claims under 35 U.S.C. § 101

Claims 30-31 and 34-49 stand rejected under 35 U.S.C. § 101 since the claims recite a “computer-readable storage medium.” *See* Office Action, pp. 2-3. The Office Action alleges that the claims should instead recite a “non-transitory computer readable storage medium.” *Id.* The Office Action alleges that the specification permits “computer-readable storage medium” to include carrier waves and signals. While Applicants do not acknowledge the propriety of these allegations, Applicants have amended claim 30 and the specification to address these concerns in order to advance prosecution. Therefore, Applicants respectfully request the reconsideration and withdrawal of this rejection.

Rejection of Claims under 35 U.S.C. § 112

Claims 40-41 and 43-49 stand rejected under 35 U.S.C. § 112, second paragraph, as somehow lacking support in the Specification. The Office Action notes that the Specification discusses the claimed functionality being implemented in software, and asserts that the Specification provides no computer code to support the claimed “means.” *See* Office Action, p. 3.

Applicants respectfully submit that no computer code of any sort is needed to support the claimed means, for at least the reason that they have provided the block diagrams shown in FIGS. 8-12, and the description thereof in the Specification. For example, FIG. 8 is a flow diagram illustrating a process according to an embodiment of

the present invention, FIG. 9 is a flow diagram illustrating a process for creating a tunnel, FIG. 10 is a flow diagram illustrating a process for forwarding a packet using a tunnel, FIG. 11 is a flow diagram illustrating the determination of a security group identifier (SGI), and FIG. 12 is a flow diagram illustrating the classification of a packet. *See* Specification, ¶¶ [071]-[082].

The specification discusses each element of these flow diagrams in the context of physical hardware (e.g., routers) that perform the operations shown in these flow diagrams. *See*, e.g., Specification, ¶ [060]. The Specification states that these operations may be performed not only by this hardware executing “software modules” but also by executing “application hardware modules.” Specification, ¶ [063]. The Specification also states that these operations

may be embodied in the structure of circuitry that implements such functionality, such as the micro-code of a complex instruction set computer (CISC), firmware programmed into programmable or erasable/programmable devices, the configuration of a field-programmable gate array (FPGA), the design of a gate array of full-custom application-specific integrated circuit (ASIC), or the like.

Specification, ¶ [066]. The Specification also discusses the tunnel classification stage shown in FIG. 4. *See* Specification, ¶¶ [047]-[049]. Thus, in addition to discussing various software implementations, the specification discusses various hardware implementations capable of performing the claimed functions.

For at least these reasons, Applicants respectfully request the reconsideration and withdrawal of the rejection.

Rejection of Claims under 35 U.S.C. § 102

Claims 10-11, 14-16, 20, 22 and 24-26 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,693,878 issued to Daruwalla et al. (“Daruwalla”). *See* Office Action, p. 4. Applicants respectfully traverse this rejection and offer amendments.

The Office Action relies solely upon Daruwalla’s service ID (SID) in order to find a teaching of the security group identifier (SGI) recited in independent claim 10. *See* Office Action, p. 4. However, Daruwalla’s SID is not a security group identifier.

Daruwalla states that “[t]he SID (service ID) is a . . . device and service identification which is assigned by the CMTS to each cable modem in the network.” Daruwalla 9:53-55 (emphasis added). Thus, unlike the claimed SGI, Daruwalla’s SID fails to identify a security group, identifying only a single cable modem instead.

In addition, since Daruwalla’s SID serves to identify Daruwalla’s cable modems (Daruwalla, 9:53-67), a unique SID is assigned to each of Daruwalla’s cable modems. The claimed SGI, on the other hand, identifies a security group that is configured to represent a plurality of senders, on the one hand, and is configured to allow a given sender to belong to a plurality of security groups, on the other hand.

Thus, for at least the reason that Daruwalla’s SID is not comparable to the claimed SGI, Daruwalla at least fails to teach the claimed SGI. For at least this reason, Applicants respectfully request the reconsideration and withdrawal of the rejection against claim 10.

Nevertheless, despite the above reason for withdrawal of the rejection against claim 10, Applicants have amended independent claim 10 to further clarify the above points of distinction and to further advance prosecution. Claim 10 has been amended to recite that “said SGI identifies said security group” and to recite that “said security group is configured to represent a plurality of senders.”

In addition, Applicants submit that modifying Daruwalla’s SID to represent more than one of Daruwalla’s cable modems would render Daruwalla inoperable and unsuitable for its intended purpose. Thus, Daruwalla cannot be taken alone or be combined with any other reference, such that Daruwalla’s SID could be successfully characterized as somehow teaching the claimed SGI.

For at least these additional reasons Applicants respectfully request the reconsideration and withdrawal of the rejection against claim 10 and its dependent claims, and a notice of the allowance of the same.

In addition, since independent claim 20 stands rejected on similar grounds (*see* Office Action, pp. 6-7), and has been amended to recite similar limitations, Applicants respectfully request the reconsideration and withdrawal of the rejection against claim 20 and its dependent claims, and a notice of the allowance of the same.

Rejection of Claims under 35 U.S.C. § 102 or 103

Claims 1, 4, 6-9, 30-31, 34-36, 40-41 and 43-46 stand rejected under 35 U.S.C. § 102(e) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Daruwalla. *See* Office Action, p. 7. Applicants respectfully request the withdrawal of this rejection for at least the reason that independent claims 1, 30, and 40 stand rejected on grounds similar to the grounds discussed above concerning independent claim 10 (*see* Office Action, p. 7), and have been amended to recite similar limitations. In addition, Applicants respectfully request the withdrawal of the rejection against the remaining claims for at least the reason that the remaining claims are respectively dependent upon allowable base claims 1, 30, and 40.

Rejection of Claims under 35 U.S.C. § 103

Claims 17-19, 27-29, 37-39 and 47-49 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Daruwalla in view of U.S. Patent Publication No. 2004/0202171 naming Hamma as inventors (“Hamma”). *See* Office Action, p. 9. Applicants respectfully request the withdrawal of this rejection for at least the reason that the rejected claims are respectively dependent upon allowable base claims 10, 20, 30, and 40.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

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